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UNITED STATES OF AMERICA

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
Oakland Division**

LORENZO OTIS,)	Case No. 4:21-CV-02472-HSG
)	
Plaintiff,)	STIPULATION FOR EXTENSION OF
)	MEDIATION, EXPERT, AND
v.)	DISPOSITIVE MOTION
)	DEADLINES; ORDER
UNITED STATES OF AMERICA,)	
)	
Defendant.)	Personal Injury)
)	[Jones Act 46 U.S.C. § 30104]

The Parties to this action, plaintiff LORENZO OTIS (“Plaintiff”) and defendant UNITED STATES OF AMERICA (“Defendant”), collectively referred to below as the “Parties” by and through their respective counsel of record, hereby stipulate to, and

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1 respectfully submit this revised request, following this Court's Order on February 2, 2022
 2 (Docket Entry 31), that the Court modify the existing case schedule with respect to the
 3 expert discovery set by the Court in its Order dated July 29, 2021 (Doc. 25), and the ADR
 4 completion deadline set by Stipulation of the Parties and Order of this Court on August 6,
 5 2021 (Doc. 27). This request is being made after the Parties have met and conferred and
 6 agreed on the need for additional time to prepare for mediation and conduct expert
 7 discovery.

8 Good cause exists to continue these deadlines because the COVID-19 pandemic and
 9 related travel-restrictions have impacted the Parties' ability to complete discovery,
 10 specifically Plaintiff's deposition and a defense medical examination. The Parties have
 11 agreed to conduct Plaintiff's deposition in mid-February 2022, depending on availability of
 12 the mediator, and a medical examination on March 22, 2022.

13 Extending the ADR deadlines will provide the opportunity for the Parties to fully
 14 prepare for mediation after Plaintiff is deposed in February. Likewise, extending the expert
 15 discovery deadlines will permit the Parties to focus on mediation and attempt to settle the
 16 matter before incurring significant expert discovery costs, should the need arise.

17 The deadlines agreed upon below do not impact the current trial dates, however
 18 during the Parties' meet and confer discussions, Plaintiff disclosed the possibility that he
 19 may seek leave to alter the current trial dates if Plaintiff's medical status becomes uncertain.
 20 The Parties will meet and confer at that time, as necessary.

21 Pursuant to the Court's February 2, 2022 Order, the Parties also agree to continue
 22 the dispositive motion hearing deadline to be commensurate with the new discovery
 23 deadline.

24 IT IS THEREFORE hereby stipulated, and the Parties respectfully request, that the
 25 Court agree to modify the existing case schedule as follows:

- 26 1. The deadline for the Parties to complete mediation is continued from February
 27 25, 2022 to March 31, 2022;

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2. The deadline for the Parties to exchange opening expert reports is continued from March 15, 2022 to April 15, 2022;
3. The deadline for the Parties to exchange rebuttal expert reports is continued from March 29, 2022 to April 29, 2022;
4. The close of expert discovery is continued from April 11, 2022 to May 11, 2022; and
5. The dispositive motion hearing deadline is continued from April 14, 2022 to May 26, 2022.

Dated: February 4, 2022

COX, WOOTTON, LERNER,
GRIFFIN & HANSEN, LLP
Attorneys for Defendant,
UNITED STATES OF AMERICA

By: 
Susan F. Shapiro

Dated: February 4, 2022

LAW OFFICES OF LYLE C. CAVIN, JR.
Attorneys for Plaintiff
LORENZO OTIS

By: 
Lia T. Marks

SIGNATURE CERTIFICATION

I, Susan F. Shapiro, counsel of record for Defendant United States of America, hereby certify that the content of this document is acceptable to Lia T. Marks, counsel of record for Plaintiff Lorenzo Otis, and that I have obtained her authority to affix her electronic signature to this document.

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ORDER

The above Stipulation is hereby GRANTED, as follows:

1. The ADR completion deadline is continued from February 25, 2022 to March 31, 2022;
2. the deadline for expert disclosures is continued from March 15, 2022 to April 15, 2022;
3. the deadline for rebuttal experts is continued from March 29, 2022 to April 29, 2022;
4. The close of expert discovery is continued from April 11, 2022 to May 11, 2022; and
5. The dispositive motion hearing deadline is continued from April 14, 2022 to May 26, 2022 at 2:00 p.m.

IT IS SO ORDERED.

Dated: 2/7/2022


DISTRICT JUDGE HAYWOOD S. GILLIAM, JR.

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